

**COMMUNITY AFFAIRS**

**Division Of Codes And Standards**

**Uniform Construction Code**

**Products violating the Code**

**Proposed Amendment: N.J.A.C. 5:23-3.8**

Authorized By: Charles A. Richman, Acting Commissioner, Department of Community

Affairs

Authority: N.J.S.A. 52:27D-124

Proposal Number:

Calendar: See Summary below for explanation of exception to calendar requirement.

Submit written comments by: March 18,2006 to:

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Charles A. Richman  
Acting Commissioner

The agency proposal follows:

## **Summary**

The proposed amendment to N.J.A.C. 5:23-3.8 prohibits fire pins on egress doors. Fire pins are installed on egress doors with dual bar panic hardware instead of a lower bar extending from the panic push bar to the floor level. Normally, the lower bar is in place to hold the bottom portion of the door shut in order to achieve a properly rated door assembly. In this product, the lower bar is replaced by a fire pin that shoots out of the bottom portion of the door into either another door or into the adjoining door jam. This fire pin has a fusible coating that prohibits it from firing until the temperature reaches a predetermined temperature. Once this pin is activated, it does not reset itself and remains in place, rendering the door inoperable from both sides. This product does not allow for egress or ingress to be made once the fire pin activates. Conditions vary in fires and there could potentially be egress or ingress required through the doors in question while temperatures have reached a point at which the pin would have fired. This product prohibits both occupant and emergency responder egress/ingress during stages of fires. Also, if the door is not closed when the pin pops, the pin will prevent the door from closing properly. This product's features are in direct violation of the building subcode which requires means of egress to be available at all times in most structures.

Accordingly, the proposal amendment would prohibit fire pin hardware on egress doors.

As the Department has provided a 60-day comment period on this notice of proposal, this notice is exempted from the rulemaking calendar requirement, pursuant to N.J.A.C. 1:30-3.3(a)5.

### **Social Impact**

The Department anticipates that the proposed amendment will have a positive social impact by prohibiting a product that poses a hazard in buildings during fire emergencies.

### **Economic Impact**

The Department does not anticipate that the proposed amendment will have any economic impact on egress doors. The proposed amendment simply prohibits a product from being utilized prior to installation.

### **Federal Standards Statement**

No Federal standards analysis is required because this amendment are not being proposed in order to implement, comply with, or participate in any program established under Federal law or under a State law that incorporates or refers to Federal law, standards, or requirements.

### **Jobs Impact**

The Department does not anticipate that any jobs will be created or lost as a result of these proposed amendment.

### **Agriculture Industry Impact**

The Department does not anticipate that the proposed amendment would have an impact on the agricultural industry.

### **Regulatory Flexibility Analysis**

The proposed amendment would not impose any recordkeeping or reporting requirements on “small businesses,” as defined by the New Jersey Regulatory Flexibility

Act, N.J.S.A. 52:14B-16 et seq. Compliance requirements are described in the Summary above; it is not anticipated that professional services will have to be employed in order to comply.

### **Smart Growth Impact**

The Department does not expect that the proposed amendment would have any impact upon either achievement of "smart growth" or implementation of the State Development and Redevelopment Plan.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

### **5:23-3.8 Products violating the Code**

(a)-(c) (No change.)

(d) The Commissioner has determined that the following materials and supplies are not in conformance with the State Uniform Construction Code:

1. Building materials and supplies:

i-ii. (No change.)

iii. Egress doors with fusible fire pins that render the doors inoperable when exposed to any temperature.

2.-4. (No change.)

